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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BRYAN RAY,

Defendant.

2:18-cr-365-KJD-PAL

**MOTION TO AMEND
SCRIVENER'S ERROR
INDICTMENT AND ARREST
WARRANT**

COMES NOW the United States of America, by and through DAYLE ELIESON, United States Attorney, and Kevin Schiff, Assistant United States Attorney, respectfully move that the Indictment and Warrant issued in this matter on November 13, 2018 be amended to correct a scrivener's error. Specifically the Defendant's name was transposed in the current Indictment and all subsequent documentation to be "Ray Bryan." The Defendant's correct name is **Bryan Ray**. Such amendment does not substantively modify any charge in the Indictment and only corrects a typographical error causing no prejudice to the Defendant. *See United States v. Lim*, 984 F.2d 331, 337 (9th Cir. 1993).

1 Further, such correction will allow law enforcement to correctly input the arrest
2 warrant into the appropriate databases to effect the warrant, and ensure the correct person is
3 brought before the Court to answer to the Indictment.

4 DATED this 17th day of December, 2018.

5 DAYLE ELIESON
6 United States Attorney

7 /s/ Kevin Schiff
8 Kevin Schiff
9 Assistant United States Attorney
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UNITED STATES OF AMERICA,)	
)	2:18-cr-365-KJD-PAL
Plaintiff,)	
)	ORDER TO AMEND INDICTMENT,
vs.)	WARRANT, CAPTION & ALL
)	SUBSEQUENT DOCUMENTATION
BRYAN RAY)	
)	
Defendant.)	

Based on the Government's Motion to Amend Scrivener's Error Indictment and Warrant, the Court finds:

- ## II. ORDERS

IT IS ORDERED that the Indictment in this matter is amended in both the caption and all charges therein to reflect the Defendant's correct name is Bryan Ray. All subsequent

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1 documentation generated as a result of this error, including the issued arrest warrant, are also
2 amended to correct this typographical error.

4 IT IS SO ORDERED:

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6 UNITED STATES MAGISTRATE JUDGE

7 DATED: December 17, 2018
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